

SECRET

DD/A Registry
File Travel

06 NOV 1974

MEMORANDUM FOR: Deputy Director for Administration

SUBJECT : Background of Agency Policy - Travel and
Transportation Benefits for Agency Retirees
Under CSRS

REFERENCE : (a) Memo fm DDS to Ex. Dir.-Compt. dtd 21
Apr 71, Subj: Administrative Authorities

(b) Memo fm D/PERS to Ex. Dir.-Compt. dtd
13 Nov 72, Subj: Travel and Transportation
Benefits for Agency Retirees

OGC

FOIAB5

1.

[redacted] adopted provisions of the Foreign Service Act to allow travel benefits to CIARDS retirees and to dependent survivors. Following that action, consideration was given to a plausible basis for extending such benefits to Agency employees under the Civil Service Retirement System.

2. Reference (a) developed the rationale that the Agency early retirement policy for employees under either CIARDS or Civil Service Retirement System (CSRS) provided ample evidence that the conditions for employment for all Agency personnel were such as to set them apart from other Federal employees. Based on this rationale and reaffirmation that the retirement at age 60 policy under both systems was deemed necessary for the proper administration of all employees, it was determined logical and equitable that similar retirement and death benefits should be extended to employees under CSRS. This determination was made subject to the proviso that they in fact retire at age 60 or as soon thereafter as they are eligible for optional retirement unless the employee's retirement should be extended by the Agency but in no event should the benefit be available for retirement after age 62. The recommendation for adoption of the foregoing policy under the special authority of the Director was approved by the Executive Director-Comptroller on 26 April 1971.

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SUBJECT: Background of Agency Policy - Travel and Transportation
Benefits for Agency Retirees Under CSRS

3. On the basis of reference (b), approved by the Executive Director-Comptroller on 21 November 1972, Agency policy concerning the above stated limitations for personnel not retiring by age 62 was reconsidered and the restrictions cancelled on the premise that extensions beyond 62 were justified on case basis considerations of compassion or Agency interest and that other basic entitlements of the employee should not be affected.



Thomas B. Hale
Director of Finance

25X1

Attachments

Ref (a)

Ref (b)

~~SECRET~~

C - O - P - Y

SECRET

21 April 1971

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Administrative Authorities

REFERENCE : (a) Memo dtd 30 April 68 for Ex. Dir.-Compt.
fr DD/S, Same Subject

(b) Memo dtd 21 May 68 for Ex. Dir.-Compt.
fr DD/S, Same Subject

(c) Memo dtd 23 June 70 for DD/S General Counsel
Subj: Administrative Adoption of Statutory Benefits

1. This recommendation contains a recommendation for your approval; such recommendation is contained in paragraph 6.

2. Reference (a) recommended the adoption of the administrative authority of the Foreign Service Act, as amended, to permit the payment of travel and transportation expenses for employees retiring under the Central Intelligence Agency Retirement and Disability Systems (CIARDS) to a place designated in the United States, its territories or possessions. This recommendation, which you approved on 30 April 1968, followed an extensive review made of existing Agency authorities in the fields of travel expenses, allowances and other fringe benefits provided to Agency employees to insure that these are as favorable as those provided by existing laws enacted for other Government employees in similar circumstances. On 23 May 1968 you approved the recommendation in reference (b) to adopt another administrative authority of the Foreign Service Act to permit reimbursement of travel and transportation expenses of the dependents of a deceased CIARDS participant to a designated place of residence regardless of the participant's PCS point, U. S. or abroad. We believe it is now appropriate to reconsider the basis for limiting these death and retiree travel benefits to participants in CIARDS.

3. Key to our reconsideration of present authority is the Agency retirement policy which applies equally to employees in CIARDS or the Civil Service Retirement Systems (CSRS). As early as 1959, the retirement policy was that employees would be expected to retire at age 60 with 30 years of service, or at age 62 with at least five years of service under the then existing optional retirement provisions of the CSRS. On 3 May 1968, after an in-depth review by the Agency's senior echelon, the

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GROUP 1
Excluded from automatic
downgrading and
declassification

REFERENCE
(a)

63a

SECRET

SUBJECT : Administrative Authorities

Director of Central Intelligence decreed that it would continue to be Agency policy that employees under the CSRS be required to retire at age 60 or as soon thereafter as they are eligible for optional retirement under the law. Paragraph 12 of the rationale for the age 60 retirement policy (attached is the memorandum approved by the Director on 3 May 1968) is pertinent to this memorandum.

" 12. In summary, the age 60 retirement policy is a key element of the Agency's efforts to attain excellence in its staffing. Without the policy the entire personnel program of the Agency would be impaired. The most vigorous and productive individuals, finding themselves stymied, will leave the service or will never be persuaded to enter in the first place. By shortening the career open to all employees, service in intelligence will continue to be highly attractive to outstanding young men and women. In the end, our national intelligence objectives will be best served."

4. The Agency's early retirement policy for employees under either CIARDS or CSRS is ample evidence that the conditions of employment for our personnel are such as to set them apart from other Federal employees. Having established a requirement for retirement at age 60 under both systems, based on the premise that such action was deemed necessary for the proper administration of all employees, it would appear logical and equitable that similar retiree and death travel benefits should flow from this policy. It would also appear logical and equitable to provide these benefits only to those employees under CSRS who in fact retire at age 60 or as soon thereafter as they are eligible for optional retirement, unless the employee's retirement is extended by the Agency but in no event should the benefit be available after age 62.

5. In reference (c) the General Counsel noted that the discussion of the merits of extending retiree and death travel benefits to participants of CIARDS and not to employees covered by the CSRS placed great weight on the fact that CIARDS participants had met measurable standards which distinguished them from normal CSRS participants. He went on to say that this may not be a valid distinction inasmuch as such benefits had previously been granted to participants under both systems who were stationed abroad and, therefore, there is an apparent inequity for employees who are stationed PCS in the United States. The General Counsel concluded that he would offer no legal objection to an extension of death and retiree travel benefits to employees covered by CSRS if such action is deemed necessary for the proper administration of the Agency.

6. In line with the above, and pursuant to the authority delegated to you by the Director of Central Intelligence on 5 October 1967, it is recommended that effective with the date of your approval you determine it to be

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SUBJECT : Administrative Authorities

necessary for the proper administration of all employees of the Agency to adopt the administrative authority of the Foreign Service Act, as amended, to provide the participants in the CSRS the same death and retirement travel benefits now approved for CIARDS participants, provided the employee:

- (a) Is a staff employee, a staff agent, a career agent, or a contract employee converted from a staff status without a break in service;
- (b) Retires on or before his scheduled retirement date as determined by
- (c) Retires on or before his 62nd birthday when his extension beyond a date of his eligibility for optional retirement was approved by the Director.

(signed)

John W. Coffey
Deputy Director
for Support

CONCUR:

Signed/Houston
General Counsel

22 April 1971
Date

The recommendation contained in paragraph 6 is approved.

Signed/L. K. White
Executive Director-Comptroller

26 April 1971
Date

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PERS 72-1250

DD/S 72-4256

13 MAY 1972

Executive Registry
72-54951

63a

REFERENCE
(b)

MEMORANDUM FOR: Executive Director-Comptroller

THROUGH *JWC* Deputy Director for Support 13 MAY 1972

SUBJECT: Travel and Transportation Benefits for Agency Retirees

REFERENCE: Memo fm DD/S to Ex. Dir-Compt., dtd 21 Apr 71, Subj: Administrative Authorities

1. This memorandum contains a recommendation for your approval in paragraph 4.

2. The Travel Policy Committee is considering changes in Agency regulations to make clear that the same travel and transportation benefits are available to eligible retirees under both the CIA and Civil Service retirement systems. The extension of such benefits to Agency employees under the Civil Service Retirement System was effected by the Executive Director-Comptroller when he approved the recommendation in paragraph six of the referent on 26 April 1971, the substance of which has not yet been published in regulatory form. The recommended policy was:

"to provide the participants in the CSRS the same death and retirement travel benefits now approved for CIARDS participants, provided the employee:

- (a) Is a staff employee, a staff agent, a career agent, or a contract employee converted from a staff status without a break in service;
- (b) Retires on or before his scheduled retirement date as determined by
- (c) Retires on or before his 62nd birthday when his extension beyond a date of his eligibility for optional retirement was approved by the Director."

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REFERENCE

SUBJECT: Travel and Transportation Benefits for Agency Retirees

ATTACHMENT

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3. The Committee believes a change should be made in the current policy (para. 2 (b) & (c), above) which limits travel and transportation benefits to an employee who retires on or before his scheduled retirement date or on or before his 62nd birthday if an extension of his retirement date has been approved. Occasionally, a request is received for extension beyond age 62 from an employee because of personal hardship or from an office which has a need for the employee's services. It is the opinion of the Committee that the decision on such requests should be based on compassion or Agency interest and approval of the request for extension should not affect the entitlements of the employee concerned. I share the Committee's view.

4. It is recommended, therefore, that you authorize cancellation of the restrictions in sub-paragraphs (b) and (c) quoted in paragraph 2, above, after which appropriate changes in the regulations will be made to reflect extension of travel and transportation benefits to eligible retirees under the Civil Service Retirement System.

/s/Harry B. Fisher

Harry B. Fisher
Director of Personnel

CONCUR:

/s/ John S. Warner

13 NOV 1972

Adm. Gen. Counsel
General Counsel
OFFICE OF THE GENERAL COUNSEL, DEPT. OF COMMERCE

Date

The recommendation contained in paragraph 4 is approved.

I - CIB

I - W. E. Colby

Executive Director-Comptroller

21 NOV 1972

Date

S. W. Colby

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63a

REFERENCE
(a)

21 April 1971

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Administrative Authorities

REFERENCE : (a) Memo dtd 30 April 68 for Ex. Dir.-Compt.
fr DD/S, Same Subject

(b) Memo dtd 21 May 68 for Ex. Dir.-Compt.
fr DD/S, Same Subject

(c) Memo dtd 23 June 70 for DD/S General Counsel
Subj: Administrative Adoption of Statutory Benefits

1. This recommendation contains a recommendation for your approval; such recommendation is contained in paragraph 6.

2. Reference (a) recommended the adoption of the administrative authority of the Foreign Service Act, as amended, to permit the payment of travel and transportation expenses for employees retiring under the Central Intelligence Agency Retirement and Disability Systems (CIARDS) to a place designated in the United States, its territories or possessions. This recommendation, which you approved on 30 April 1968, followed an extensive review made of existing Agency authorities in the fields of travel expenses, allowances and other fringe benefits provided to Agency employees to insure that these are as favorable as those provided by existing laws enacted for other Government employees in similar circumstances. On 23 May 1968 you approved the recommendation in reference (b) to adopt another administrative authority of the Foreign Service Act to permit reimbursement of travel and transportation expenses of the dependents of a deceased CIARDS participant to a designated place of residence regardless of the participant's PCS point, U. S. or abroad. We believe it is now appropriate to reconsider the basis for limiting these death and retiree travel benefits to participants in CIARDS.

3. Key to our reconsideration of present authority is the Agency retirement policy which applies equally to employees in CIARDS or the Civil Service Retirement Systems (CSRS). As early as 1959, the retirement policy was that employees would be expected to retire at age 60 with 30 years of service, or at age 62 with at least five years of service under the then existing optional retirement provisions of the CSRS. On 3 May 1968, after an in-depth review by the

Approved For Release 2003/06/06 : CIA-RDP84-00780R006200110006-8

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SUBJECT : Administrative Authorities

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Director of Central Intelligence decreed that it would continue to be Agency policy that employees under the CSRS be required to retire at age 60 or as soon thereafter as they are eligible for optional retirement under the law. Paragraph 12 of the rationale for the age 60 retirement policy (attached is the memorandum approved by the Director on 3 May 1968) is pertinent to this memorandum.

" 12. In summary, the age 60 retirement policy is a key element of the Agency's efforts to attain excellence in its staffing. Without the policy the entire personnel program of the Agency would be impaired. The most vigorous and productive individuals, finding themselves stymied, will leave the service or will never be persuaded to enter in the first place. By shortening the career open to all employees, service in intelligence will continue to be highly attractive to outstanding young men and women. In the end, our national intelligence objectives will be best served."

4. The Agency's early retirement policy for employees under either CIARDS or CSRS is ample evidence that the conditions of employment for our personnel are such as to set them apart from other Federal employees. Having established a requirement for retirement at age 60 under both systems, based on the premise that such action was deemed necessary for the proper administration of all employees, it would appear logical and equitable that similar retiree and death travel benefits should flow from this policy. It would also appear logical and equitable to provide these benefits only to those employees under CSRS who in fact retire at age 60 or as soon thereafter as they are eligible for optional retirement, unless the employee's retirement is extended by the Agency but in no event should the benefit be available after age 62.

5. In reference (c) the General Counsel noted that the discussion of the merits of extending retiree and death travel benefits to participants of CIARDS and not to employees covered by the CSRS placed great weight on the fact that CIARDS participants had met measurable standards which distinguished them from normal CSRS participants. He went on to say that this may not be a valid distinction inasmuch as such benefits had previously been granted to participants under both systems who were stationed abroad and, therefore, there is an apparent inequity for employees who are stationed PCS in the United States. The General Counsel concluded that he would offer no legal objection to an extension of death and retiree travel benefits to employees covered by CSRS if such action is deemed necessary for the proper administration of the Agency.

6. In line with the above, and pursuant to the authority delegated to you by the Director of Central Intelligence on 5 October 1967, it is recommended that effective with the date of your approval you determine it to be

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21 April 1971

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Administrative Authorities

REFERENCE : (a) Memo dtd 30 April 68 for Ex. Dir.-Compt.
fr DD/S, Same Subject

(b) Memo dtd 21 May 68 for Ex. Dir.-Compt.
fr DD/S, Same Subject

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Subj: Administrative Adoption of Statutory Benefits

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SUBJECT : Administrative Authorities

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" 12. In summary, the age 60 retirement policy is a key element of the Agency's efforts to attain excellence in its staffing. Without the policy the entire personnel program of the Agency would be impaired. The most vigorous and productive individuals, finding themselves stymied, will leave the service or will never be persuaded to enter in the first place. By shortening the career open to all employees, service in intelligence will continue to be highly attractive to outstanding young men and women. In the end, our national intelligence objectives will be best served."

4. The Agency's early retirement policy for employees under either CIARDS or CSRS is ample evidence that the conditions of employment for our personnel are such as to set them apart from other Federal employees. Having established a requirement for retirement at age 60 under both systems, based on the premise that such action was deemed necessary for the proper administration of all employees, it would appear logical and equitable that similar retiree and death travel benefits should flow from this policy. It would also appear logical and equitable to provide these benefits only to those employees under CSRS who in fact retire at age 60 or as soon thereafter as they are eligible for optional retirement, unless the employee's retirement is extended by the Agency but in no event should the benefit be available after age 62.

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6. In line with the above, and pursuant to the authority delegated to you by the Director of Central Intelligence on 5 October 1967, it is recommended that effective with the date of your approval you determine it to be

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REFERENCE
(a)

21 April 1971

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT : Administrative Authorities

REFERENCE : (a) Memo dtd 30 April 68 for Ex. Dir.-Compt.
fr DD/S, Same Subject(b) Memo dtd 21 May 68 for Ex. Dir.-Compt.
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SUBJECT : Administrative Authorities

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- (c) Retires on or before his 62nd birthday when his extension beyond a date of his eligibility for optional retirement was approved by the Director.

(signed)

John W. Coffey
Deputy Director
for Support

CONCUR:

Signed/Houston
General Counsel

22 April 1971
Date

The recommendation contained in paragraph 6 is approved.

Signed/L. K. White
Executive Director-Comptroller

26 April 1971
Date

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FILED
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PERS 72-1250

DD/S 72-4256

13 NOV 1972

63a

Executive Registry
72-54251

REFERENCE
(h)

MEMORANDUM FOR: Executive Director-Comptroller

THROUGH *for* Deputy Director for Support 13 NOV 1972

SUBJECT : Travel and Transportation Benefits for Agency Retirees

REFERENCE : Memo fm DD/S to Ex. Dir-Compt., dtd 21 Apr 71, Subj: Administrative Authorities

1. This memorandum contains a recommendation for your approval in paragraph 4.

2. The Travel Policy Committee is considering changes in Agency regulations to make clear that the same travel and transportation benefits are available to eligible retirees under both the CIA and Civil Service retirement systems. The extension of such benefits to Agency employees under the Civil Service Retirement System was effected by the Executive Director-Comptroller when he approved the recommendation in paragraph six of the referent on 26 April 1971, the substance of which has not yet been published in regulatory form. The recommended policy was:

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3. The Committee believes a change should be made in the current policy (para. 2 (b) & (c), above) which limits travel and transportation benefits to an employee who retires on or before his scheduled retirement date or on or before his 62nd birthday if an extension of his retirement date has been approved. Occasionally, a request is received for extension beyond age 62 from an employee because of personal hardship or from an office which has a need for the employee's services. It is the opinion of the Committee that the decision on such requests should be based on compassion or Agency interest and approval of the request for extension should not affect the entitlements of the employee concerned. I share the Committee's view.

/s/Harry B. Fisher

Harry B. Fisher
Director of Personnel

s/ John S. Warner

General Counsel
OFFICE OF THE ATTORNEY GENERAL

13 NOV 1972

Date _____

The recommendation contained in paragraph 4 is approved.

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W. E. Colby

Executive Director-Comptroller

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21 NOV 1972

Date _____

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PERS 72-1250

DD/S 72-4256

13 NOV 1972

63a

Executive Registry
72-54451

REFERENCE
(b)

MEMORANDUM FOR: Executive Director-Comptroller

THROUGH

JWC Deputy Director for Support 13 NOV 1972

SUBJECT

: Travel and Transportation Benefits for
Agency Retirees

REFERENCE

: Memo fm DD/S to Ex. Dir-Compt., dtd
21 Apr 71, Subj: Administrative Authorities

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REFERENCE

SUBJECT: Travel and Transportation Benefits for Agency Retirees

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4. It is recommended, therefore, that you authorize cancellation of the restrictions in sub-paragraphs (b) and (c) quoted in paragraph 2, above, after which appropriate changes in the regulations will be made to reflect extension of travel and transportation benefits to eligible retirees under the Civil Service Retirement System.

/s/Harry B. Fisher

Harry B. Fisher
Director of Personnel

CONCUR:

/s/ John S. Warner

John S. Warner
General Counsel
OFFICE OF THE GENERAL COUNSEL

13 NOV 1972

Date

The recommendation contained in paragraph 4 is approved.

I - CLEAV
I - [illegible]
/s/ W. E. Colby

Executive Director-Comptroller

21 NOV 1972

Date

ILLEGIB

TRANSMITTAL SLIP		DATE 6 Nov 1974
TO: Deputy Director for Administration		
ROOM NO.	BUILDING HQS	
REMARKS:		
<p style="text-align: center;">7</p> <p style="text-align: right;"><u>11/13/74</u></p> <p><i>Registry please file under Retirement</i></p>		
FROM: Director of Finance		
ROOM NO.	BUILDING	EXTENSION

☐ UNCLASSIFIED☐ INTERNAL
USE ONLY☐ CONFIDENTIAL☒ SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

EXTENSION

NO.

Director of Finance

DATE

6 Nov 1974

25X

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Deputy Director for
Administration

11/7

11/13

Jack:

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The recent discussion about the potential impact of a change in the age 60 retirement policy for employees under the Civil Service Retirement System appeared to have been based in part on the premise that CIARDS participants must under the law retire at age 60 (65 for GS-18). Although it was not discussed, the law as you may be aware does permit the Director upon his finding that it is in the public interest to extend any participant's service for an additional 5 years. A copy of the applicable section of the law is attached.

25X

Thomas B. Yale

*CIA RETIREMENT ACT of 1964
(PL 88-643)*

Mandatory Retirement

SEC. 235. (a) The Director may in his discretion place in a retired status any participant who has completed at least twenty-five years of service, or who is at least fifty years of age and has completed at least twenty years of service, provided such participant has not less than ten years of service with the Agency of which at least five shall have been qualifying service. If so retired, such participant shall receive retirement benefits in accordance with the provisions of section 221.

(b) Any participant in the system receiving compensation at the rate of grade GS-18 or above shall be automatically separated from the Agency upon reaching the age of sixty-five. Any participant in the system receiving compensation at a rate less than grade GS-18 shall be automatically separated from the Agency upon reaching the age of sixty. Such separation shall be effective on the last day of the month in which a participant reaches age sixty or sixty-five, as specified in this section, but whenever the Director shall determine it to be in the public interest, he may extend such participant's service for a period not to exceed five years. A participant separated under the provisions of this section who has completed five years of Agency service shall receive retirement benefits in accordance with the provisions of section 221 of this Act.

Limitation on Number of Retirements

SEC. 236. The number of participants retiring on an annuity pursuant to sections 233, 234, and 235 of this Act shall not exceed a total of four hundred during the period ending on June 30, 1969, nor a total of eight hundred³⁰ during the period beginning on July 1, 1969, and ending on June 30, 1974.

*Part E—Disposition of Contributions and Interest in
Excess of Benefits Received*

SEC. 241. (a) Whenever a participant becomes separated from the Agency without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter compounded annually to December 31, 1956 (or, in the case of a participant separated from the Agency before

(over)